

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 25, 2007
SAN FRANCISCO, CALIFORNIA**

S150229 C051311 Third Appellate District **BARNETT (LEE MAX) v. S.C.
(PEOPLE)**

Petition for review granted (criminal case)

The People's petition for review is granted. Barnett's petition for review is denied.

Kennard, J., was recused and did not participate.

Werdegar and Moreno, JJ., are of the opinion Barnett's petition for review should also be granted.

Votes: George, C. J., Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S139073 A111923 First Appellate District, Div. 1 **ELKINS (JEFFREY) v. S.C.
(ELKINS)**

Supplemental briefing ordered.

The parties are directed to file simultaneous letter briefs addressing the following question: Are the Contra Costa County Superior Court's prior local rule of court (see Super. Ct. Contra Costa County, Local Rules, rule 12.5, eff. July 1, 2005), the trial scheduling order in the present case, and the court's current local rule (Super. Ct. Contra Costa County, Local Rules, rule 12.8, eff. Jan. 1, 2007) consistent with the hearsay rule (Evid. Code, § 1200 et seq.; *Fewel v. Fewel* (1943) 23 Cal.2d 431, 438 (conc. opn. of Traynor, J.); *Lacrabere v. Wise* (1904) 141 Cal. 554, 556; *Pajaro Valley Water Management Agency v. McGrath* (2005) 128 Cal.App.4th 1093, 1107), to the extent they call for the introduction of declarations into evidence at trial in a marital dissolution action? Simultaneous letter briefs are to be served and filed no later than May 11, 2007, and responsive letter briefs may be served and filed no later than May 18, 2005.

S143491 D047661 Fourth Appellate District, Div. 1 **CHAMBERS (TARIQ) v. S.C.
(SAN DIEGO POLICE DEPT.)**

Issues ordered limited.

The issues to be argued by the parties are limited to the first issue raised in the in the petition for review, which is whether derivative information developed after *Pitchess v. Superior Court* (1974) 11 Cal.3d 531 disclosure in an earlier case is subject to a protective order under Evidence Code section 1045, subdivision (e) when a later defendant, represented by the same attorney as the first defendant, files a Pitchess motion regarding the same law enforcement officer and obtains the name of the same complainant. (Calif. Rules of Ct., rule 8.516(a)(1).)

S150748 B180936 Second Appellate District, Div. 6 **PEOPLE v. AYYAR (RAJAN)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S151027 H030376 Sixth Appellate District **PEOPLE v. INFANTE (JOSE ANTONIO)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Crandell*, S134883 (See Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S151106 B192558 Second Appellate District, Div. 4 **PEOPLE v. STOKES (LAWRENCE WILLIAM)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S140234 **SEEGARS (JAMES C.) ON H.C.**

OSC issued, returnable in Superior Court.

The Director of the Department of Corrections and Rehabilitation is ordered to show cause before the Santa Clara County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to the preparation of a free transcript of the habeas evidentiary hearing held in Case Number 121948 on May 9, 2003, May 23, 2003, June 9, 2003, and June 19, 2003. (*Gardner v. California* (1969) 393 U.S. 367.) The return is to be filed on or before May 25, 2007. In all other respects, the petition is denied without prejudice to the filing of an original petition for writ of habeas corpus, raising the same contentions and accompanied by the appropriate record. (*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S150088 B195279 Second Appellate District, Div. 1 **WRIGHT (VERNON HUGH) ON H.C.**

Review granted; transferred to CA 2/1 to issue OSC.

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division One. That court is ordered to vacate its summary denial dated January 12, 2007, and is further ordered to issue an order to show cause, returnable before the Los Angeles County Superior Court. The Director of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why the abstract of judgment in Los Angeles County Superior Court case #NA062608 should not be amended to reflect the trial court's intended pronouncement of an upper term three year sentence, doubled to a total of six years. (See *People v. Mitchell* (2001) 26 Cal.4th 181, 185; *People v. Hester* (2000) 22 Cal.4th 290, 295; March 6, 2007, brief of Attorney General, pp. 6-8.) The return is to be filed on or before May 25, 2007.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S150139 C054634 Third Appellate District **SINGLER (RONALD) ON H.C.**

Review granted; transferred to CA 3 to issue OSC

Petition for review granted. The matter is transferred to the Court of Appeal, Third District. That court is ordered to vacate its summary denial dated February 1, 2007, and is further ordered to issue an order to show cause, returnable before that court. The Director of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why the Board of Parole Hearings did not abuse its discretion and violate due process in finding petitioner unsuitable for parole in June 2006, and why petitioner remains a danger to public safety. (See, Pen. Code, § 3041; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 683; *In re Elkins* (2006) 144 Cal.App.4th 475, 496-498; *In re Lee* (2006) 143 Cal.App.4th 1400, 1408; *In re Scott* (2005) 133 Cal.App.4th 573, 594-595.) The return is to be filed on or before May 25, 2007.

Votes: George, C. J., Kennard, Werdegarr, Chin, and Moreno, JJ.

S150797 B195317 Second Appellate District, Div. 5 **SHERSHER (ROMAN)v. S.C. (MICROSOFT CORPORATION)**

Review granted; transferred to CA 2/5 to issue OSC

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Chin and Corrigan, JJ., were recused and did not participate.

Votes: George, C. J., Kennard, Werdegarr, and Moreno, JJ.

S149688 H029248 Sixth Appellate District

PEOPLE v. LOPEZ (ELIJAH SAMSON)

Petition for review denied.

Kennard and Chin, JJ., are of the opinion the petition should be granted.

S149941 C050811 Third Appellate District

CONCERNED MCCLOUD CITIZENS v. MCCLOUD COMMUNITY SERVICES DISTRICT (NESTLE WATERS NORTH AMERICA, INC.)

Petition for review & depublication request denied.

The request for an order directing partial-publication of the opinion is denied.

S150007 B185612 Second Appellate District, Div. 6

PEOPLE v. ROMO (JOSE BENIGNO)

Petition for review denied.

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

S150130 H030793 Sixth Appellate District

GLASGOW (BRICE) ON H.C.

Petition for review denied.

S150234 B196399 Second Appellate District, Div. 6

ROSS (WAYNE) ON H.C.

Petition for review denied.

S150240 A111584 First Appellate District, Div. 3

MILLER (RICHARD) & BROWNE-MILLER MARRIAGE OF

(ANGELA),

Petition for review denied.

Corrigan, J., was recused and did not participate.

S150327 B189408 Second Appellate District, Div. 5

PEOPLE v. DIAZ (GERARDO)

Petition for review denied.

S150328 E042241 Fourth Appellate District, Div. 2
Petition for review denied.

ESCANDON (STEVEN) ON H.C.

S150336 B196337 Second Appellate District, Div. 5
Petition for review denied.

**MYERS, SR. (THEODORE) ON
H.C.**

S150340 C053979 Third Appellate District
Petition for review denied.

**CRONK (DONALD EVERETT)
ON H.C.**

S150393 B196148 Second Appellate District, Div. 5
Petition for review denied.

**BUCHANAN (RASHEENA) ON
H.C.**

S150435 A109274 First Appellate District, Div. 4
Petition for review & publication request denied.

**AMELCO INDUSTRIES, INC. v.
AUTOMATED SWITCHING &
CONTROLS, INC.**

S150459 D049680 Fourth Appellate District, Div. 1
Petition for review denied.

ADLER (VERNON) ON H.C.

S150473 B193042 Second Appellate District, Div. 7
Petition for review denied.

**MEDEIROS (MARY) v. S.C.
(HEALTH NET OF
CALIFORNIA)**

S150479 A111109 First Appellate District, Div. 5
Petition for review denied.

PEOPLE v. THOMAS (LARRY)

S150485 A110058 First Appellate District, Div. 4

Petitions for review denied.

PEOPLE v. RIDGE, JR. (LARRY DEAN)

S150505 H029944 Sixth Appellate District

Petition for review denied.

PEOPLE v. GUTIERREZ (MANUEL S.)

S150530 B183315 Second Appellate District, Div. 5

Petition for review denied.

PEOPLE v. FOSTER (MICHAEL)

S150548 E042331 Fourth Appellate District, Div. 2

Petition for review denied.

WILLARD (EDWARD JAMES) ON H.C.

S150557 E038646 Fourth Appellate District, Div. 2

Petition for review denied.

PEOPLE v. HANELINE (MARTIN LEROY)

S150596 A110050 First Appellate District, Div. 1

Petition for review denied.

PEOPLE v. SCHLEUDER (VICTOR GENE)

S150648 B185353 Second Appellate District, Div. 8

Petition for review denied.

PEOPLE v. ARROYO (CARLEN)

S150679 B162143 Second Appellate District, Div. 4

Petition for review denied.

PEOPLE v. LACY (JAMES ALFRED)

S150718 B196666 Second Appellate District, Div. 3

Petition for review denied.

RICHARDS (PATRICK) ON H.C.

S150723 C054773 Third Appellate District
Petition for review denied.

DAVIS (KENNARD LEE) ON H.C.

S150728 C051851 Third Appellate District
Petition for review denied.

**PEOPLE v. SIMMERSON
(JESSICA LOUISE)**

S150729 E038288 Fourth Appellate District, Div. 2
Petition for review denied.

**PEOPLE v. EARL (TERRANCE
JAMES)**

S150736 H031046 Sixth Appellate District
Petition for review denied.

**MACDONALD (FELIX E.
MAQUIZ) ON H.C.**

S150742 C051540 Third Appellate District
Petition for review denied.

PEOPLE v. OSBY (ROBERTO)

S150758 B188263 Second Appellate District, Div. 5
Petition for review denied.

**CASTILLO (JOSE) v. BARRERA
(MARCO ANTONIO)**

S150778 A113376 First Appellate District, Div. 3
Petition for review & depublication request denied.
Baxter, J., is of the opinion the petition should be granted.

**UPHOLD OUR HERITAGE v.
TOWN OF WOODSIDE (JOBS)**

S150780 G038191 Fourth Appellate District, Div. 3
Petition for review denied.

**WILKINS (COLE ALLEN) v. S.C.
(PEOPLE)**

S150803 H030065 Sixth Appellate District

Petition for review denied.

PEOPLE v. LONG (RICKY JAMES)

S150812 E038593 First Appellate District, Div. 2

Petition for review denied.

PEOPLE v. VILLAFANA (FELIPE)

S150825 A111920 First Appellate District, Div. 5

Petition for review denied.

PEOPLE v. AVERILL (DAVID STEVEN)

S150870 B181837 Second Appellate District, Div. 3
PAUL

Petition for review denied.

Kennard, J., is of the opinion the petition should be granted.
Corrigan, J., was recused and did not participate.

ACS SYSTEMS, INC. v. ST. FIRE AND MARINE INSURANCE COMPANY

S150879 F049991 Fifth Appellate District
(DAMIEN

Petition for review denied.

PEOPLE v. JONES, JR. RAY)

S150887 A113186 First Appellate District, Div. 4

Petition for review denied.

PEOPLE v. WEEKS (JASON WILLIAMS)

S150893 G035820 Fourth Appellate District, Div. 3

Petition for review denied.

STEENHUYSE (MATTHEW VAN) v. CITY OF FULLERTON

S150914 C048609 Third Appellate District

Petition for review denied.

PEOPLE v. LAKOTA (MATTHEW MANTIEV)

S150915 F051871 Fifth Appellate District

Petition for review denied.

**RAINWATER (GREG) v. S.C.
(UROLOGY ASSOCIATES OF
CENTRAL CALIFORNIA
MEDICAL GROUP, INC.)**

S150921 B188125 Second Appellate District, Div. 5
Petition for review denied.

PEOPLE v. NOLETTE (DEBRA)

S150926 F052180 Fifth Appellate District
Petition for review denied.

JOHNSON (KENNETH) ON H.C.

S150930 F052161 Fifth Appellate District
Petition for review denied.

JOHNSON (KENNETH) ON H.C.

S150931 F052141 Fifth Appellate District
Petition for review denied.

JOHNSON (KENNETH) ON H.C.

S150952 F050098 Fifth Appellate District
Petition for review denied.

PEOPLE v. ROS (PHEAKTRA)

S150955 F052017 Fifth Appellate District

JOHNSON (KENNETH) ON H.C.

S150960 F052067 Fifth Appellate District
Petition for review denied.

JOHNSON (KENNETH) ON H.C.

S150965 F052248 Fifth Appellate District
Petition for review denied.

JOHNSON (KENNETH) ON H.C.

S150972 E041202 Fourth Appellate District, Div. 2
Petition for review denied.

P. (ALEX), IN RE

S150976 F047706 Fifth Appellate District

KERN

Petitions for review denied.

S150977 B197002 Second Appellate District, Div. 6

Petition for review denied.

S150991 C054587 Third Appellate District

Petition for review denied.

S151002 B188585 Second Appellate District, Div. 7

Petition for review denied.

S151017 E042446 Fourth Appellate District, Div. 2

Petition for review denied.

S151020 C052349 Third Appellate District

Petition for review denied.

S151021 B187464 Second Appellate District, Div. 6

Petition for review denied.

S151029 B186931 Second Appellate District, Div. 6

Petition for review denied.

**NORTH KERN WATER
STORAGE DISTRICT v.**

**DELTA WATER DISTRICT
(CITY OF BAKERSFIELD)**

**CELIS (MIGUEL ANGEL) ON
H.C.**

**ZURICH AMERICAN
INSURANCE v. WCAB (NUNES)**

PEOPLE v. SOSA (HECTOR)

**CAMARILLO (JUAN CARLOS)
ON H.C.**

G. (ROBERT), IN RE

PEOPLE v. RODRIGUEZ (JOSE)

**PEOPLE v. RAMIREZ (NAHU
ARELLANO)**

S151032 H029059 Sixth Appellate District

Petition for review denied.

**PEOPLE v. MAGANA
(FRANCISCO JAVIER)**

S151037 B190140 Second Appellate District, Div. 4
Petition for review denied.

T. (KYSHAWN L.), IN RE

S151041 E039574 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. VANWHY (DONNY
RICHARD)**

S151047 H029196 Sixth Appellate District

Petition for review denied.

**PEOPLE v. SAUCEDO (PAUL
TOMAYO)**

S151065 C051617 Third Appellate District

Petition for review denied.

**PEOPLE v. CHAPMAN
(WILLIAM)**

S151067 F049937 Fifth Appellate District

Petition for review denied.

**PEOPLE v. MARTINEZ
(FRANCISCO)**

S151069 B187611 Second Appellate District, Div. 8
Petition for review denied.

PEOPLE v. RUBIO (RAUL)

S151092 B190583 Second Appellate District, Div. 6

Petition for review denied.

**PEOPLE v. SOLARES
(MENAHEM ROBERTO)**

S151094 G037681 Fourth Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. FALCON-PENAFIEL
(CARLOS ANTONIO)**

S151098 F049383 Fifth Appellate District

Petition for review denied.

**ALCALA (ROSA MARIA) v.
CITY OF CORCORAN**

S151107 F049235 Fifth Appellate District

Petition for review denied.

**PEOPLE v. MEDINA (ANGEL
TANGUMA)**

S151114 F049538 Fifth Appellate District

Petition for review denied.

**PEOPLE v. AGUILERA
(ANDRES)**

S151117 A113167 First Appellate District, Div. 4

Petition for review denied.

**PEOPLE v. ALFARO (MIGUEL
ANGEL)**

S151123 A112847 First Appellate District, Div. 5

Petition for review denied.

S. (IESHA), IN RE

S151126 B189488 Second Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. MORA (RAMON
PONCIANO)**

S151138 E039470 Fourth Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. SHEPPARD, JR.
(ROBERT EARL)**

S151157 F050972 Fifth Appellate District

Petition for review denied.

M. (VICTOR), IN RE

S151162 E040505 Fourth Appellate District, Div. 2

Petition for review denied.

T. (GERARDO), IN RE

S151163 E039411 Fourth Appellate District, Div. 2
Petition for review denied.

PEOPLE v. VILLA (ARMANDO)

S151164 B187489 Second Appellate District, Div. 8
Petition for review denied.

**LUCKETT (JOHN) v. KEYLEE
(JOHN)**

S151166 E039059 Fourth Appellate District, Div. 2
Petition for review denied.

**PEOPLE v. WRIGHT (GEORGE
FRANCIS)**

S151180 A116407 First Appellate District, Div. 3
Petition for review denied.

**COLEMAN (KARL) v. S.C.
(PEOPLE)**

S151181 F048997 Fifth Appellate District
Petition for review denied.

PEOPLE v. INMAN (RENO RAY)

S151188
Petition for writ of mandate/prohibition denied.

**ARTEAGA (LORENZO) v. CA6
(PEOPLE)**

S151287 D050343 Fourth Appellate District, Div. 1
Petition for review and application for stay denied.

**BLEYLE (WAYNE ALBERT) v.
S.C. (PEOPLE)**

S151294 B190298/B191774 Second Appellate District, Div. 7
Petitions for review denied.

M. (BRANDY) , IN RE

S151499 E042570 Fourth Appellate District, Div. 2
Petition for review and application for stay denied.

**MENDOZA (ALEX KERMITH) v.
S.C. (PEOPLE)**

S151600 B197332 Second Appellate District, Div. 7

Petition for review and application for stay denied.

**WILLIAMS (BRAND) v. S.C.
(PEOPLE)**

S142811

Petition for writ of habeas corpus denied.

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

ROMAN (EDUARDO) ON H.C.

S147363

Petition for writ of habeas corpus denied.

BEARD (JAMES) ON H.C.

S147411

ON

Petition for writ of habeas corpus denied.

**STOVALL (SAMUEL LEWIS)
H.C.**

S147498

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

**FREDERICK (KENNETH H.) ON
H.C.**

S147501

Petition for writ of habeas corpus denied.

LEE (RONNIE) ON H.C.

S147521

Petition for writ of habeas corpus denied.

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**MCCLENDON (AMOS LEJON)
ON H.C.**

S147539

Petition for writ of habeas corpus denied.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**SMITH (MARK ANGELO) ON
H.C.**

S147544

Petition for writ of habeas corpus denied.

ALVAREZ (ESLI JOEL) ON H.C.**S147546**Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**WALTERS (ROBERT KELLY)
ON H.C.****S147547**Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750.)**PRATER (CHRISTOPHER
KYLE) ON H.C.****S147556** E035358 Fourth Appellate District, Div. 2**MEROLILLO (MARC
CLAYTON) ON H.C.**Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S147561**

Petition for writ of habeas corpus denied.

GARCIA (ARTURO) ON H.C.**S147566**

Petition for writ of habeas corpus denied.

JOHNSON (COREY) ON H.C.**S147574**Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)**MARTINEZ (SILVERIO) ON
H.C.****S147582**

Petition for writ of habeas corpus denied.

JONES (WILLIAM) ON H.C.

S147592

Petition for writ of habeas corpus denied.

WILLIAMS (SCOTT FRANK) ON H.C.**S147623**Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**GARCIA (ROBERT) ON H.C.****S147625**Petition for writ of habeas corpus denied.
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**PETTIS (DANTE L.) ON H.C.****S147650**

Petition for writ of habeas corpus denied.

LATCHISON (KENYATTA JAMEEL) ON H.C.**S147659**

Petition for writ of habeas corpus denied.

DAVIS (JOEL R.) ON H.C.**S147662**Petition for writ of habeas corpus denied.
(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)**GONZALEZ (RICARDO MENDOZA) ON H.C.****S147663**Petition for writ of habeas corpus denied.
(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)**COBB (SEKKEAN O'NEIL) ON H.C.****S147682**Petition for writ of habeas corpus denied.
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)**JOHNSON (TYRONE DANIEL) ON H.C.**

S147697**LEMONS (DARNELL E.) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S147717****JOHNSON (KENNETH) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S147735****BECKMAN (JOHN P.) ON H.C.**

Petition for writ of habeas corpus denied.

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**S147783****WORMLEY (TYRIN J.) ON H.C.**

Petition for writ of habeas corpus denied.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734.)**S151449****TILEI (PUNAOFO TSUGITO) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)**S150003** D048280 Fourth Appellate District, Div. 1
Publication request denied (case closed).**CHU (JENNIE) v. HSU (JAMES)****S150017** D047603 Fourth Appellate District, Div. 1
Publication request denied (case closed).**CINGULAR CASES, IN RE****S150278** B185328 Second Appellate District, Div. 4
Publication request denied (case closed).**SYREK (JULIE) v. ANHEUSER-BUSCH, INC.**

S150374 A114085 First Appellate District, Div. 3

**UNITED EDUCATORS OF SAN
FRANCISCO, AFT/CFT, AFL-
CIO-NEA/CTA v. SAN
FRANCISCO UNITED SCHOOL
DISTRICT**

Publication request denied (case closed).

S150501 G036405 Fourth Appellate District, Div. 3

**GRAZULIS (JOHN) v.
HARBORLAND VENTURES,
INC.**

Publication request denied (case closed).

S150533 D047107 Fourth Appellate District, Div. 1

**ENCINITAS, (CITY OF) v. F
STREET CORPORATION**

Publication request denied (case closed).

S150539 F051135 Fifth Appellate District

**GOMEZ (VICENTE) v. W.C.A.B.
(BMN BUILDING, INC.)**

Publication request denied (case closed).

S029588

**PEOPLE v. RICHARDSON
(CHARLES KEITH)**

Motion for access to sealed record granted.

Respondent's "Renewed Request for Sealed Records Pursuant to Penal Code Section 987.9, Subdivision (d)," filed on March 26, 2007, is granted. The Clerk of this court is directed to provide respondent with copies of the two volumes of sealed section 987.9 materials, pages 1 through 322, filed in this court on March 22, 2007. Except as provided herein, these documents must remain under seal and their use must be limited solely to the pending proceeding. (Pen. Code Section 987.9, subd. (d); see also Cal. Rules of Court, rule 8.160(g).)

S045504**PEOPLE v. PANAH (HOOMAN ASHKAN)**

Motion for access to sealed record granted. Good cause appearing, the Application for Release of Files, Records and Any Confidential Materials, filed on January 11, 2007, is granted. Counsel is granted access to the confidential materials in *People v. Hooman Ashkan Panah* (S045504) and *In re Hooman Ashkan Panah on Habeas Corpus* (S123962). Counsel must supply the personnel and equipment necessary to undertake this review and copying of the records, which must occur on the premises of the court.

S070536**PEOPLE v. MACIEL (LUIS PELON)**

Motion for access to sealed record granted.

The Attorney General's "Application for Copy of Sealed Transcripts," filed on February 14, 2007, is granted. The clerk is directed to transmit to the Attorney General a copy of the Reporter's Transcript of the hearing on December 12, 1997, which is captioned "Marsden Hearing." (Sealed Reporter's Transcript, pp. 7497-7554.) Unless otherwise ordered by this court, the transcript is to remain under seal, and the Attorney General is ordered not to disclose the contents of the transcript except in connection with the pending proceeding, *People v. Luis Maciel* (S070536).

S150591**BRICKWOOD ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that S. CALLAGHAN BRICKWOOD, A.K.A. SUSAN CALLAGHAN BRICKWOOD, a.k.a. SUSAN LYNN BRICKWOOD, State Bar No. 96324, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be placed on probation for one year subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 26, 2006. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 9.20 (formerly rule 955) of the California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Cost are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-third of said costs be paid with membership fees for the next three billing cycles. It is further ordered that if S. Callaghan Brickwood, a.k.a. Susan Callaghan Brickwood, a.k.a. Susan Lynn Brickwood fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S150592**GINGERY ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that JUSTIN MATTHEW GINGERY, State Bar No. 204217, be suspended from the practice of law for two years and until respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including ninety days' actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 13, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 9.20 (former rule 955) of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one half of said costs be paid with membership fees for the years 2008 and 2009. It is further ordered that if Justin Gingery fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S150594**HURLEY ON DISCIPLINE**

Recommended discipline imposed.

It is ordered that RICHARD ROGER HURLEY, State Bar No. 183440, be suspended from the practice of law for three years and until he: (1) complies with the requirements of standard 1.4(c)(ii); and (2) provides satisfactory proof of specified restitution to the Office of Probation, as set forth more fully below; that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for two years and until he: (1) has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and (2) provides satisfactory proof to the Office of Probation that he has made restitution to (a) Shawn White in the amount of \$2,785.58, plus interest of ten percent per annum from March 1, 2001; (b) Michael and Gayle Garrity in the amount of \$1,165.38, plus interest of ten percent per annum from August 16, 1999; (c) Lillian Sonek in the amount of \$500, plus interest of ten percent per annum from April 1, 2001; (d) Sonya McFadden in the amount of \$1,000, plus interest of ten percent per annum from August 1, 2002; (e) Donald Wilder in the amount of \$1,100, plus interest of ten percent per annum from September 1, 1999; and (f) Benita Davis in the amount of \$750, plus interest of ten percent per annum from July 1, 2002. If the Client Security Fund

has already reimbursed any of the above-named individuals for all or any portion of their respective losses, respondent must make restitution to the Client Security Fund, during the period of his actual suspension, to the extent of any payment from the fund to any of the above-named individuals, plus applicable interest and costs, in accordance with Business and Professions Code section 6140.5. Any restitution to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivision (c) and (d). Richard Roger Hurley is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 4, 2007. It is also ordered that Richard Roger Hurley take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn.8.) Richard Roger Hurley is further ordered to comply with rule 9.20 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

